## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Suresh K. Arva, Ph.D.

Application No. 10/731,988 Filed: December 9, 2003 Confirmation No. 9402

For: LENTIVIRUS VECTOR SYSTEM

Examiner: Myron G. Hill

Art Unit: 1648

Attorney Reference No. 4239-67517-01

COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

## DECLARATION UNDER 37 C.E.R. 1.132

- I, Suresh K. Arya, Ph.D., am the sole inventor named in the above-referenced patent application.
- I have read and understand the above-referenced patent application, including the pending claims, and the Office action dated March 24, 2006.
- 3. It is my understanding that in the Office action of March 24, 2006, claims 7, 11, and 15 are rejected as anticipated by Arya et al. (Human Gene Therapy, 9:1371-80, 1998). That document discloses subject matter which I myself conceived. The other co-authors, Maryam Zamani and Priya Kundra are not inventors with respect to the present application, because they merely carried out experiments which I directed and supervised.
- 4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Suresh K. Arya, Ph.D.